IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO**

**WRIT PETITION NO : 15455 of 2005**

Between:

1. Manchina Kanaka W/o.Ramu
   Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
   Visakhapatnam District.
2. Karri Lakshmi W/o.Pathrudu
   Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
   Visakhapatnam District.
3. Ballina Sannamma W/o.Polinaidu
   Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
   Visakhapatnam District.
4. Kola Ramanamma W/o.Kannarao
   Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
   Visakhapatnam District.
5. Uppu Padma W/o.Sreeni
   Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
   Visakhapatnam District.
6. Ramala Sanyasamma W/o.Appalaraju
   Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
   Visakhapatnam District.
7. Sahoo Mohini W/o.Chandrasekhar
   Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
   Visakhapatnam District.
8. Ganireddy Chellayyamma W/o.Narsamma
   Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
   Visakhapatnam District.
9. Majji Bangarju Lakshmi W/o.Ravana
   Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
   Visakhapatnam District.
10. Manchina Yashoda W/o.Sattibabu
    Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
    Visakhapatnam District.
11. Kasimkota Nagarju S/o.Narayana Rao
    Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
    Visakhapatnam District.
12. Upadyayula Lakshmi W/o.Sreenivasa Rao

Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.

13. Gandi Muthyala Rao W/o.Appalanaidu
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
14. Sadibadda Aharunu W/o.Moshi
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
15. Romala Krishnamma w/o Sreenu
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
16. Akula Nagamani W/o.Ramu
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
17. Rakali Chandra Kumari W/o.Ramachandra Rao
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
18. Kuncha Kanaka W/o.Raju
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
19. Mohammad Haneena W/o.Shafeef
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
20. Ravada Vijayalakshmi w/o.Yellarao
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
21. Bukidi Suryakumar W/o.Naidu
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
22. Uppu Chinna Padma W/o.Yedukondalu
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
23. Thavvi Kanaka w/o.Seshagiri
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
24. Tediredla Lakshmi W/o.Sanyasirao
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
25. Devulapalli Padma W/o.Chandi Rao
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
26. Anaparthi Varalakshmi W/o.Sankara Rao
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
27. Pandiri Kanakalakshmi W/o.Kanakaiah
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
28. Yellapalli Lakshmi W/o.Anjayya
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
29. Ch. Shanthi Eswari W/o.Apparao
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.

30. Yarabati Swarnalatha W/o.Apparao
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.

31. Esarapu Satyavathi W/o.Ramu
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
32. Badda Mangayyamma W/o.Nagaraju
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
33. Akula Suryakantham W/o.Satyanarayana
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.
34. Gollivilli Nagamani W/o.Apparao
Anjanyulu Nagar, Chinamushidivada Village Pendurthi Mandal,
Visakhapatnam District.

**..... PETITIONERS**

AND

1. The District Collector (Revenue),

Visakhapatnam District.

2. The Mandal Revenue Officer,

Pendurthi Mandal, Visakhapatnam District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents not to dispossess the petitioners from their respective huts constructed in the land situate in Sy.No.177/2 of Chinamushidivada Village, Pendurthi Mandal, Visakhapatnam District, by declaring the action of the respondents in trying to dispossess the petitioners without following due process of law as arbitrary, illegal and unconstitutional and pass such other order or orders.

**Counsel for the Petitioner: MR.T.NIRANJAN REDDY**

**Counsel for the Respondent No.1 & 2: GP FOR REVENUE**

**The Court at the admission stage made the following :**

ORDER:

The petitioners who are landless poor are living by raising huts in Sy. No. 177/2 of China Musidivada village, Pendurthi Mandal. It is submitted that their application for grant of patta of the lands where

they are living is pending consideration. It is also asserted that during April, 2003, the 2nd respondent sought for certain clarifications and the petitioners submitted representation dated 9.2.2004 to the 2nd respondent, about their eligibility for the grant of patta. It is also stated that the Mandal Revenue officer submitted proposals on 17.6.2005 requested the first respondent to pass orders on this issue. It is also evident from the record that the members of the CPI political party has submitted a representation for assignment of house site pattas to the weaker section. The petitioners also apprehend that their nmames may be deleted from the list of beneficiaries. While so, the Revenue Officials started measuring the land with the held of surveyors and on enquiry, they came to know that the respondents are intending to give the land to third parties and a day after, the 2nd respondent asked them to vacate the entire land or else they would be evicted. Therefore, apprehending eviction in the hands of the respondents, the petitioners came up with the present writ petition.

Having regard to these facts and circumstances, at the stage of admission, I deem it appropriate to direct the respondents to consider the proposal submitted by the Mandal Revenue Officer to the 1st respondent and pass suitable orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Consequently, the respondent No.1 is directed to consider the proposal submitted by the Mandal Revenue Officer – 2nd respondent herein and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. Till such time, the respondents are directed not to evict the petitioners from the petition schedule property. The writ petition is accordingly disposed of. No order as to costs.

Elipe Dharma Rao, J.

July 15, 2005

MAS

To

1. The District Collector (Revenue),

Visakhapatnam District.

2. The Mandal Revenue Officer,

Pendurthi Mandal, Visakhapatnam District.

3. Two CCs to the Govt. Pleader for Revenue, A.P. High Court Building,

Hyderabad.

4. 2 CD copies

*Form-NIC-OGS/WP{**MPL**}*